

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IRON WORKERS' MID-AMERICA)	
PENSION PLAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 06 C 5603
)	
CHICAGO STEEL ERECTORS CORP.,)	JUDGE AMY J. ST. EVE
a corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on December 14, 2006, request this Court enter judgment against Defendant, CHICAGO STEEL ERECTORS CORP., a corporation. In support of that Motion, Plaintiffs state:

1. On December 14, 2006, this Court entered default against Defendant and granted Plaintiffs' request for an order directing Defendant to turn over its monthly fringe benefit contribution reports for August 2006 through the present date within 14 days of the entry of said Order.

2. On January 11, 2007, Plaintiffs' counsel filed electronically its motion for an order setting a hearing on a rule to show cause for Defendant's failure to remit its monthly fringe benefit contribution reports for August 2006 forward, as directed in the Court's Order entered December 14, 2006. A hearing was scheduled for February 27, 2007.

3. On February 27, 2007, Plaintiffs' counsel withdrew its motion for an order setting a hearing on a rule to show cause based on the Funds' receipt of all reports through November 2006.

4. For the months of January 2006 and April 2006, Defendant shorted the contributions which it acknowledged were due on monthly fringe benefit contribution reports remitted for those months. Accordingly, Defendant owes an additional \$71.96 to Plaintiff Pension Fund. (See Affidavit of Joseph J. Burke).

5. For the time period March 1998 through November 2006, Plaintiff Funds have assessed liquidated damages in the amount of \$2,577.03 to the Pension Fund and \$1,163.06 to the Supplemental Monthly Annuity Fund for the late submission of contributions during that time period. (Burke Aff. Par. 5).

6. The Boards of Trustees of the Plaintiff Funds adopted a policy requiring the automatic assessment of a \$200.00 fee for each check dishonored by the payor's bank for non-sufficient funds. Pursuant to this policy, Plaintiffs have assessed fees totaling \$600.00 as a result of Defendant's submission of fringe benefit contributions by way of checks numbered 1953, 1973 and 1975, which were subsequently dishonored by its bank for non-sufficient funds.

7. In addition, Plaintiffs' firm has expended the amount of \$420.00 for costs and \$1,752.50 in attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

8. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$6,584.55.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$6,584.55.

/s/ Patrick N. Ryan

Patrick N. Ryan
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Telephone: (312) 236-4316
Bar No.: 6278364
Facsimile: (312) 236-0241
E-Mail: pryan@baumsigman.com

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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that he electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 8th day of March 2007:

Mr. Clayton Patton, Registered Agent
Chicago Steel Erectors Corp.
9317 S. May Street
Chicago, IL 60620

/s/ Patrick N. Ryan _____

Patrick N. Ryan
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Telephone: (312) 236-4316
Bar No.: 6278364
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E-Mail: pryan@baumsigman.com

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